

haloalkyl of 1 to 6 carbon atoms, alkoxy alkyl of 2 to 12 carbon atoms and alkylthioalkyl of 2 to 12 carbon atoms, R<sub>p</sub> is hydrogen or an easily cleavable group, R<sub>18</sub> and R<sub>19</sub> are individually selected from the group consisting of hydrogen, halogen, OH and alkyl and alkoxy of 1 to 6 carbon atoms and its non-toxic, pharmaceutically acceptable salts.

REMARKS

Reconsideration of this application is requested in view of the amendments to the claims and the remarks presented herein. Entry of the amendment is requested under the provisions of Rule 116 as it puts the application in condition for allowance or in better condition for appeal by reducing the issues involved.

The claims in the application are claims 5 to 8 and 18 to 24, all other claims having been cancelled.

Claims 18 to 24 were rejected under 35 USC 112, second paragraph, as being indefinite. The Examiner noted that claim 18 contained a 7-member ring with a R<sub>2</sub>O substituent whereas claim 18 went on to refer to R<sub>p</sub>O as well as claims 22 and 23. The Examiner also objected to the expression "a camptothecin analog" as being indefinite.

Applicants respectfully traverse this ground of rejection

since the claims clearly comply with 35 USC 112. Claim 18 has been amended to clarify the fact that R<sub>p</sub> is a substituent as defined in line 11 of claim 18 as presented in the July 18, 2001 amendment. The confusion was due to the lack of clarity of the structural formula which has now been corrected. In addition, the term "analog" no longer appears in claim 18. Therefore, amended claim 18 complies with 35 USC 112 and withdrawal of this ground of rejection is requested.

All of the claims were rejected under the judicially created doctrine of obviousness type double patenting with respect to claim 13 of U.S. Patent No. 5,981,542. Applicants are submitting herewith a terminal disclaimer with respect to the said patent as well as the PTO Form-2038 authorizing the \$110.00 fee. Therefore, this ground of rejection is obviated.

In view of the proposed amendments to the claims and the above remarks, it is believed that the claims clearly point out Applicants' patentable contribution and favorable reconsideration of the application is requested.

Respectfully submitted,  
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CAM:ds  
Enclosures